

PLANNING COMMISSION MEETING
28 NOVEMBER 2006 MINUTES

Members Present:

Mr. Ray Rosenberger, Chairman
Mrs. Ellen Richardson
Mrs. Mollie Cherrix
Mr. Bob Behr

Members Absent:

Mrs. Jane Wolffe
Mr. Tom Derrickson
Mr. Ray Daisey

Mr. Kenny L. Lewis, Staff Support

AGENDA ADOPTION

Mr. Rosenberger request to amend the agenda to add item #5 for political signs and add item #6 for proposed public hearing for fee schedule changes.

Mrs. Richardson motioned, seconded by Mr. Behr to adopt the agenda with amendments .
The motion was unanimously approved.

1. Public Participation

Gail Reichard requested information on the new History & Architectural sub-committee appointed by the Planning Commission.

Mr. Rosenberger advised that Mr. Troxler, Mrs. Payne and Mrs. Lintz have been appointed to the new committee. Also Mr. and Mrs. Wolffe will be the planning commission members.

2. Public Hearing; Amendment to Section 2.96

Mr. Rosenberger opened the public hearing for the proposed changes in section 2.96 of the zoning ordinance.

Section 2.96 be amended by adding the following paragraphs to the definition of Main Use:

A dock, including a boat lift(s), used in conjunction with the main use of a lot or structure, which is in compliance with all applicable County, State, and Federal regulatory and statutory provisions and permitted by all required agencies, is a secondary, incidental or accessory use or structure.

Only open-sided shelter roof structures designed to shelter single boat slips and boat lifts, and gazebo-type structures are permitted by right. Such structures shall not exceed a combined total of 400 square feet and can be constructed and/or maintained on any dock, pier, or dock or pier platform in all zoning districts. Such structures shall not exceed 12 feet in height and have a roof pitch not to exceed 2:12.

A structure erected on a lot, the specific location of which is not subject to the jurisdiction of the Accomack County Wetlands Board, the Virginia Marine Resource Commission, and/or the United States Army Corps of Engineers, and used in conjunction with the main use of a lot or permitted building is a secondary, incidental or accessory use or structure.

There were no public comments regarding the proposed changes.

Mr. Behr questioned the purpose of the requirement of the roof pitch. Mr. Lewis advised to limit the height of the structure.

Motion by Mrs. Richardson, second by Mrs. Cherrix to approve the recommendation and send to Council for action. All in favor. Motion carried.

3. By-Law Review

Mr. Behr motioned, second by Mrs. Richardson to postpone action on this matter until the full membership is present. All in favor. Motion carried.

4. Sign Ordinance Review; Political Signs

Mr. Lewis read to the Commission the state code, section 15.2-109 requirements regarding political signs.

“No locality shall have the authority to prohibit the display of political campaign signs on private property if the signs are in compliance with zoning and right-of-way restrictions applicable to temporary nonpolitical signs, if the signs have been posted with the permission of the owner. The provisions of this section shall supersede the provisions of any local ordinance or regulation in conflict with this section. This section shall have no effect upon the regulations of the Virginia Department of Transportation.”

Mr. Lewis recommended the following wording:

7.4.5 Political Signs As to any political sign or signs advocating the election or non-election of a particular candidate for public office, or the approval or rejection of any issue on the ballot in any scheduled election, such sign or signs shall be erected no sooner than 60 days prior to the scheduled election and removed not later than five days thereafter. Maximum of one (1) sign per candidate or issue per parcel. Owner of said parcel must give consent on the placement of such signs. Such signs shall not exceed 32 square feet in area and be located no closer than ten feet from any property line.

Motion by Mrs. Richardson, second by Mr. Behr to approve the above recommendation. All in favor. Motion carried.

5. Public Hearing to Amend Fee Schedules

Mr. Lewis advised the Commission that earlier in the summer the Mayor and Town Council amended the fee schedules for building permits, zoning appeals and other

sections that involved fees. To bring the current zoning and subdivision ordinance in line with the approved fee schedule changes the following sections must be amended:

8.5.2. Appeals and applications for a variance or special exception requiring an advertised public hearing shall be accompanied by payment ~~for \$150.00~~ **established by the town council payable to the treasurer.**

(Ord. of 11-4-1996; Ord. of 5-1-2000)

(Amended ??/??/07)

11.1.3. Any amendment proposal requiring an advertised public hearing shall be accompanied by payment in the amount ~~of \$150.00.~~ **established by the town council.**
(Amended ??/??/07)

Sec. 12.1. Fees.

The town council shall establish a schedule of fees and charges for building and zoning permits and related costs. Such schedule of fees and charges shall be posted in the office of the building and zoning administrator and may be amended only by action of the town council upon recommendation of the budget and personnel committee.

(Amended ??/??/07)

~~12.1.1. General. There is a standard fee of \$150.00 to file an appeal which shall include applications for a variance or special exception with the Board of Zoning Appeals.~~

~~12.1.2. Zoning fees:~~

~~(1) — The fee for a proposed rezoning shall be \$150.00~~

~~(2) — The petitioner shall be responsible for all cost relating to vacating any subdivision plat or any part thereof.~~

~~12.1.3. Transcript fees:~~

~~(1) — The fee for transcripts shall be \$.50 per page.~~

~~12.1.4. Conditional Use Fee:~~

~~(1) — The fee for a conditional use application shall be \$1,500.00. The Town Manager shall have the authority to waive, in whole or in part, such fee.~~

~~(Amended 05-03-04)~~

~~12.1.5. Exceptions:~~

(1) ~~————— No fee for zoning permits shall be required for structures or buildings owned by a nonprofit organizations, approved by the United States Internal Revenue Service, local, state, or federal governments. Fees for requests for zoning amendments, rezoning and appeals shall apply. A building permit is still required for such construction.~~

(2) ~~————— No fee shall be required for a any detached structure of 150 square feet or less. A zoning permit shall be required.~~

(3) ~~————— No fee shall be required for a sign under 16 square feet. No fee shall be required for the placement of banners. A permit shall be required.~~

(4) ~~————— No fee shall be required for demolition of a structure. Demolitions do require a building permit before any demolition takes place.~~

(5) ~~————— No fee shall be required for moving a structure on the same lot. A building permit is required if larger than 150 square feet. A zoning permit is required if smaller than 150 square feet.~~

(6) ~~————— No fee shall be required for a fence. A zoning permit shall be required.~~

12.1.6. Mobile home park fees.

(1) ~~————— For any site or tract of land upon which there is to be located four to 25 mobile homes, the fee shall be \$1,000.00.~~

(2) ~~————— For any site or tract of land upon which there is to be located 26 to 40 mobile homes, the fee shall be \$2,000.00.~~

(3) ~~————— For any site or tract of land upon which there is to be located 41 or more mobile homes, the fee shall be \$5,000.00.~~

12.1.7. Travel trailer park fees.

(1) ~~————— For any site or tract of land upon which there is to be located up to 25 travel trailers, the fee shall be \$500.00.~~

(2) ~~————— For any site or tract of land upon which there is to be located 26 to 49 travel trailers, the fee shall be \$1000.00.~~

(3) ~~————— For any site or tract of land upon which there is to be located 50 or more travel trailers, the fee shall be \$2,000.00.~~

~~(Ord. of 1-3-1996; Ord. of 11-4-1996, Ord or 5-1-2000)~~

ADDENDUM 2

~~There shall be a charge for the examination and approval or disapproval of both a preliminary and final plat reviewed by the zoning administrator or the planning commission. At the time of filing the preliminary or final plat, the subdivider shall deposit with the agent, checks payable to the Chincoteague Town Treasurer in the amount of \$500.00 per plat and \$10.00 for each lot for a subdivision containing 11 or more lots; if the subdivision contains less than 11 lots, the charge shall be \$200.00 per plat and \$10.00 per each lot.~~

EXAMPLES

Minor Subdivision

~~Two lots: \$200.00 + \$ 20.00 = \$220.00~~

~~Five lots: \$200.00 + \$ 50.00 = \$250.00~~

~~Ten lots: \$200.00 + \$100.00 = \$300.00~~

Major Subdivision

~~Eleven lots: \$500.00 + \$110.00 = \$610.00~~

~~Thirty lots: \$500.00 + \$300.00 = \$800.00~~

The town council shall establish a schedule of fees and charges for subdivision reviews for each submitted plat and related costs. Such schedule of fees and charges shall be posted in the office of the building and zoning administrator and may be amended only by action of the town council upon recommendation of the budget and personnel committee. (Amended ??/??/07)

Motion by Mrs. Richardson, second by Mrs. Cherrix to hold a public hearing on January 23, 2007. All in favor. Motion carried.

Mr. Rosenberger adjourned the meeting.

Ray Rosenberger, Chairman